

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JACKIE HOSANG LAWSON,

Plaintiff,

v.

**FMR LLC, d/b/a FIDELITY
INVESTMENTS; FMR CORP., d/b/a
FIDELITY INVESTMENTS; and
FIDELITY BROKERAGE SERVICES
LLC, d/b/a FIDELITY
INVESTMENTS,**

Defendants.

Civ. No. 08-10466 (DPW)

**MOTION TO DISMISS BY
DEFENDANTS FMR LLC AND FIDELITY BROKERAGE SERVICES LLC**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendants FMR LLC* and Fidelity Brokerage Services LLC respectfully move to dismiss plaintiff's Complaint. For the reasons stated in the accompanying Memorandum, this Court should dismiss each of plaintiff's claims for failure to state a claim upon which relief may be granted.

REQUEST FOR ORAL ARGUMENT

Defendants FMR LLC and Fidelity Brokerage Services LLC respectfully request that the Court schedule and conduct an oral argument of this motion.

* Plaintiff also named as a defendant FMR Corp., but FMR Corp. has been merged into a limited liability company, the surviving entity of which is defendant FMR LLC. Accordingly, the defendants here are FMR LLC and Fidelity Brokerage Services LLC.

DATED: May 7, 2008

Respectfully submitted,

By: /s/ Eugene Scalia
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Attorneys for defendants

LOCAL RULE 7.1(A)(2) CERTIFICATE

I, Eugene Scalia, certify pursuant to Local Rule 7.1(a)(2) that I have conferred in good faith with counsel for the plaintiff regarding the Motion to Dismiss, and that counsel for the parties have been unable to resolve or narrow the dispute.

/s/ Eugene Scalia

CERTIFICATE OF SERVICE

I, Eugene Scalia, hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 7, 2008.

/s/ Eugene Scalia